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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

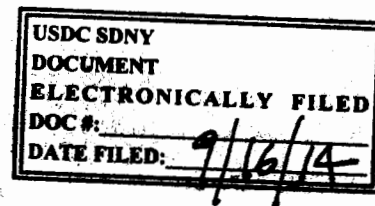
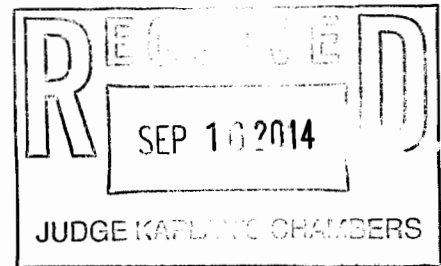
COOLMATH.COM, LLC

Plaintiff,

v.

COOLMATHGAMES.COM, MICHAEL
GARGIULO and JOHN DOE,

Defendants.



Civil Action No. 14CV4291(LAK)(SN)

**STIPULATION AND ~~PROPOSED~~ ORDER RE: ADJOURNMENT
OF SEPTEMBER 17, 2014 EVIDENTIARY HEARING**

WHEREAS, the Court on August 29, 2014 set an evidentiary hearing for September 17, 2014 in connection with the pending motion of Plaintiff Coolmath.com, LLC ("Plaintiff") for a temporary restraining order and preliminary injunction (the "Hearing");

WHEREAS, Plaintiff and defendant Michael Gargiulo ("Gargiulo") are in the process of negotiating a settlement which would result in the complete resolution of this action;

WHEREAS, Plaintiff and Gargiulo seek a brief adjournment of the Hearing to allow the parties time to negotiate and complete a settlement which, turn, would obviate the need for the Hearing;

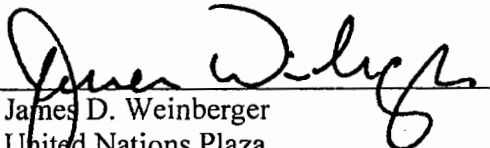
WHEREAS, it is submitted that the complete settlement of this action is a compelling reason to adjourn the Hearing as it would preserve the resources of the Court and the parties; and

WHEREAS, this is the first request for an adjournment of the Hearing.

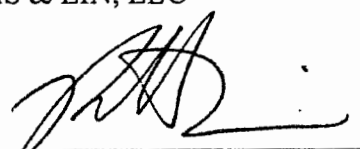
NOW, THEREFORE, it is hereby jointly requested, stipulated and agreed that the Hearing be adjourned to ^{Sept. 30,} ~~October 1,~~ 2014 at 9:30 a.m. or as soon thereafter as is convenient for the Court.

Dated: September 12, 2014
New York, New York


FROSS ZELNICK LEHRMAN & ZISSU, PC

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SO ORDERED:


Hon. Lewis A. Kaplan
United States District Judge

xm